

**STATEMENT OF WARREN T. (TOM) HARRISON
TO THE HOUSE COMMITTEE ON
ADMINISTRATION
110TH CONGRESS
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My name is Warren T. (Tom) Harrison. I live in Austin, Texas. From March, 1988, to September, 1995, I was Director of Elections for five Secretaries of State of Texas: Jack Rains (R), George Bayoud (R), John Hannah, Jr. (D), Ron Kirk (D), and Tony Garza (R). I left the Secretary of State's office in September, 1995, to take a position as Executive Director of the Texas Ethics Commission. I retired from the State of Texas in December, 2002, and took a position with the Texas County & District Retirement System. I am currently Deputy Director and General Counsel of TCDRS.

I went to work in the Elections Division for the Secretary of State in March, 1987. During that session of the Texas Legislature, changes were made to the process of voting absentee in person in a bill introduced by then State Senator (now Congressman) Chet Edwards. Prior to September, 1987, if you wanted to vote absentee by personal appearance in Texas, you had to sign an affidavit stating that you were eligible under the statutory reasons, i.e. disabled, age 65 or over, confined to jail, religious reasons, poll worker on election day, or absence from the county on election day. A lot of voters signed an affidavit saying they would be out of the county on Election Day when they knew they would not just to avoid long lines on Election Day.

Under then State Senator Edwards' bill, all these statutory "excuses" were deleted allowing voters to vote during the period of absentee voting by personal appearance without having to sign an affidavit stating a reason. The law went into effect on September 1, 1987. There was a constitutional amendment election in November, 1987, and everyone involved in the elections process in Texas was very optimistic that we would have an overflow of voters voting absentee by personal appearance – but we were disappointed.

In the elections of 1988, 1989, and 1990, we kept waiting for the tide of voters to vote absentee by personal appearance, but they didn't appear. In 1990, several counties wanted to use locations for voting absentee by personal appearance that had high

volumes of traffic, e.g. shopping malls, They could not do so under the law as it required all locations to be open the same days and hours as the main location, usually the county courthouse. In 1991, the Legislature changed the law to allow Commissioners Courts to establish temporary branches for voting absentee by personal appearance that could have different hours and days of voting with the timeframe allowed by law for voting absentee by personal appearance (then 20 days to 4 days before Election Day). At the same time all references to "absentee voting" were struck from the statute and the word "early" was used from then on.

After the 1991 changes to the law, two types of early voting became prevalent, mobile voting and retail voting. Mobile voting was not voting on the back of a flat bed truck; it was establishing an early voting location at one location for certain hours on one day but move it to another location for certain hours on another day. The law requires proper notice of the locations, days, and times. Mobile voting is used very effectively in Travis County where the State Capitol and state government is located. Retail voting was making use of shopping malls, grocery stores, and other high traffic retail locations for early voting. I have voted early for several years at my local Randall's grocery store. The purpose of both mobile voting and retail voting was to place the early polling places in areas of high pedestrian traffic. In other words, we were trying to take the polling places to the voters. It is very convenient and the voters "love" it.

However, it has never had the expected result of increasing turnout. It seems instead that many of the voters who would generally vote on Election Day have adopted early voting as their preference. When I left the Secretary of State's office in 1995, we were still optimistic that it was just an education process for the voters. I am not so sure that is the case anymore.